



4-23-03

3643\$

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

BERNKLAU et al.

Serial No.: 09/831,094

Filed: November 21, 2001

Atty. File No.: 2730-65-PUS

For: "METHOD AND DEVICE FOR
ATTRACTING INSECTS"

Group Art Unit: 3643

Examiner: Darren W. Ark

**INFORMATION DISCLOSURE
STATEMENT**

Express Mail Label: EV227132368US

#13
5-1-03
DPS

RECEIVED

APR 25 2003

GROUP 3600

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited references:



Are enclosed herewith.

Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were
submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____
_____ filed _____, which is relied upon for an earlier filing date under 35
U.S.C. § 120To the best of applicants' belief, the pertinence of the foreign-language references are
believed to be summarized in the attached English abstracts and in the figures, although applicants do not
necessarily vouch for the accuracy of the translation.Examiner's attention is drawn to the following co-pending applications, copies of which have
been or are being submitted:

Serial No. 09/573,795 filed May 16, 2000

Submission of the above information is not intended as an admission that any item is citable under the
statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in
the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should
an inference be drawn as to the pertinence of the references based on the order in which they are presented.
Submission of this statement should not be taken as an indication that a search has been conducted, or that no
better art exists.

04/24/2003 RHEBRANT 00000125 09831094

180.00 DP
01 FC:1806

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <div style="margin-left: 40px;"> <input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or <input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or <input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or <input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. </div> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input checked="" type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <div style="margin-left: 40px;"> (1) a final action under 37 C.F.R. 1.113 or (2) a notice of allowance under 37 C.F.R. 1.311, or (3) an action that otherwise closes prosecution in the application. </div> <p>This Information Disclosure Statement is accompanied by:</p> <div style="margin-left: 40px;"> <input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. <div style="text-align: center; margin: 5px 0;">OR</div> <input checked="" type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. </div>
<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <div style="margin-left: 40px;"> <input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) </div> <p style="text-align: center; margin: 10px 0;">AND</p> <div style="margin-left: 40px;"> <input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification. </div>

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS, P.C.

By: 

Dennis J. Dupray
Registration No. 46,299
1560 Broadway, Suite 1200
Denver, CO 80202-5141
TELEPHONE: 303-863-2975
FAX: 303-863-0223

Date: April 21, 2003

J:\2730\65\pct\pus\PTOIDS-05.wpd